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FLOOR DEBATE

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Resources Committee amendment, AM2002.    Senator Schrock.

SENATOR SCHROCK: All right. This is the amendment. And what it does, it reinstates the definition of "construction approval," adds a new definition for "construction and operating permit," and adds a definition of "operating permit." That's in Section 2. In Section 4, it incorporates the committee's amendment to LB 120 of 2005 regarding cold water class A streams. And we have a cold water class A stream bill in this state, thanks to some people that...Dave Sands, for one, which protects our trout streams. And what this does, it says, if you're within one mile of that trout stream, you cannot expand. If you're between one mile and two miles, you can expand. If you're a research facility associated with the university, you can expand. And we have that situation out in Scotts Bluff County, where they have a facility where I think they're confining about 999 head, and they can't go over 1,000. And I think the university, to fully implement their research out there, needs to go to about 1,200. So we allow them to expand. We have worked with the environmental people, we've worked with Rob Shupbach from Trout Unlimited, and I've asked them to compromise on this. They have, and so they're on board. It still does not allow any new expansion in that two-mile zone. I have maps, if you'd like to look at them, on what streams in this state are protected. It does not represent a large chunk of real estate in this state, but it does have an impact in the Panhandle, and certainly Senator Loudon and Senator Smith were concerned about this. In Section 7, AM2002 adds clarifying language that any animal feeding operation which does not have any permit on the effective date of this act would be subject to provisions of the Environmental Protection Act, Livestock Waste Management Act, and rules and regulations. Section 8 reinserts the stricken language on page 7, which was inadvertently stricken. Section 15 requires the Environmental Quality Council to develop rules and regulations regarding construction and operating permit issuance, denial, revocation, termination, or transfer. And the Environmental Quality Council, we talked about that earlier, because we had a couple of people appointed to that. It requires the council to develop rules and regulations regarding construction and operating permit and National Pollutant Discharge Elimination Systems permit, major